

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

CATAWBA RIVERKEEPER
FOUNDATION
and CLEAN AIR CAROLINA,
v.
Plaintiffs,

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION; NICHOLAS J.
TENNYSON, Secretary, NCDOT;
FEDERAL HIGHWAY
ADMINISTRATION; and JOHN F.
SULLIVAN, Division Administrator, FHWA,

Defendants.

Chief Judge James C. Dever, III

No. 5:15-CV-29-D

**ORDER GRANTING
UNOPPOSED MOTION TO WITHDRAW
APPLICATION FOR FEES**

Plaintiffs Catawba Riverkeeper and Clean Air Carolina (“the Conservation Groups”) have moved for permission to withdraw their Petition for Attorneys’ Fees under the Equal Access to Justice Act, 28 U.S.C. § 2412, in light of the settlement reached with the Federal Highway Administration and Division Administrator John F. Sullivan (“Federal Defendants”). Having carefully considered the motion, and having noted that it is unopposed, the Court grants the motion.

SO ORDERED. This 30 day of April, 2018.



Judge James C. Dever, III
CHIEF DISTRICT JUDGE